IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 21409 of 2004

Between:

S.R. College of Physical Education, Penumantra Mandal

and Post, West Godavari District,

rep. by its Secretary K. Satyanarayana Reddy. ..... PETITIONER

AND

1 The Secretary to the Government Education (Trg-1) Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of School Education, Government of Andhra Pradesh, Hyderabad.
3 The Regional Joint Director of School Education, Kakinada, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not granting necessary permission for revival of the petitioner college as per N.C.T.E. Norms, as illegal, arbitrary and discrimination and consequently direct that the petitioner is entitled for according permission for the revival of S.R. College of Physical Education with an intake of 100 seats in B.P. Ed, and 100 seats in U.G.D.P. Ed Courses at Penumantra, West Godavari District for the Academic Year 2005-2006 on par with similarly situated institution wherein permission for revival was granted.

Counsel for the Petitioner: SMT.K.SWARNA SESHU
Counsel for Respondents : G.P. FOR EDUCATION

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader appearing for respondents.

The present writ petition is filed seeking a direction to the respondents to accord permission for revival of the petitioner college as per National Council for Teacher Education (NCTE) norms with an intake of 100 seats in B.P.Ed. and 100 seats in U.G.D.P.Ed., courses at Penumantra, West Godavari District for the academic year 2005-2006 on par with similarly situated institutions.

The learned counsel appearing for the petitioner submits that the petitioner made representation dated 27.9.2004 to the respondents for revival of the college and though the respondents have considered the cases of similarly placed institutions, they have not considered the case of the petitioner college.

Though the matter came up twice, the learned Government Pleader could not get instructions, and on the other hand, requests for an adjournment by producing a letter addressed by the Joint Secretary to Government, School Education Department dated 24.11.2004.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondents to consider the representation of the petitioner dated 27.9.2004 forthwith on par with other similarly placed institutions as per the NCTE norms and pass appropriate orders thereon.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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N.V.RAMANA, J

Date: 7.12.2004

DA

To

1 The Secretary to the Government Education (Trg-1) Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of School Education, Government of Andhra Pradesh, Hyderabad.
3 The Regional Joint Director of School Education, Kakinada, West Godavari District.

4 Two CCs to the G.P. for Education, High Court Buildings, Hyderabad (OUT).

5 Two CD copies.